



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.(MD)No.22056 of 2017

N.Sadasivan Nair

... Petitioner

Vs.

1. The Managing Director,
State Express Transport Corporation
(Tamil Nadu) Limited,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-2.
2. The Branch Manager,
State Express Transport Corporation
(Tamil Nadu) Limited,
Kanyakumari Branch,
Kanyakumari.
3. The Administrator,
Tamil Nadu Transport Corporation Employees
Pension Fund, Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai-2.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to revise the pay of the petitioner at the rate of Rs.15,015/- along with Grade Pay of Rs.2,600/- instead of Rs.14,495/- along with Grade Pay of Rs.2,600/- with effect from 01.02.2015 being the omission of increment and consequently direct the respondents to revise the gratuity, pension and other retirement benefits based on the revision of pay of Rs.15,015/- along with grade pay of Rs.2,600/-.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.K.Sathiya Singh,
Standing Counsel.

**ORDER**

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to revise the pay of the petitioner at the rate of Rs.15,015/- along with Grade Pay of Rs.2,600/- instead of Rs.14,495/- along with Grade Pay of Rs.2,600/- with effect from 01.02.2015 being the omission of increment and consequently direct the respondents to revise the gratuity, pension and other retirement benefits based on the revision of pay of Rs.15,015/- along with grade pay of Rs.2,600/-.

2.Heard Mr.S.Govindan, learned counsel appearing for the petitioner and Mr.K.Sathiya Singh, learned Standing Counsel, who takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The aforesaid claim is made by the petitioner on the basis that an increment due to him in the year of his retirement had not been given effect while fixing his pension, resulting in the petitioner depriving of the legitimate amount of pension due with such increment.

4.It is brought to the notice of this Court by both sides that before filing of the Writ Petition, the petitioner has made representations dated 22.09.2017 and 14.11.2017 to the respondents for the same relief sought in this Writ Petition and the same has not yet been disposed. The learned counsel for the petitioner submits that the petitioner would be satisfied, if the aforesaid representations are disposed on merits in accordance with law within a time limit fixed by this Court.

5.In these circumstances, this Court, without expressing any view on the correctness or entitlement of the claim made, directs the second respondent to dispassionately consider the aforesaid representations dated 22.09.2017 and 14.11.2017 made by the petitioner and pass reasoned orders on merits and in accordance with law and communicate the decision taken to the petitioner on or before 15.01.2018 and file a report of such compliance before the Registrar (Judicial) of this Court by that date.

6.With the aforesaid direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

/True Copy/



To

1. The Managing Director,
State Express Transport Corporation
(Tamil Nadu) Limited,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-2.

2. The Branch Manager,
State Express Transport Corporation
(Tamil Nadu) Limited,
Kanyakumari Branch, Kanyakumari.

3. The Administrator,
Tamil Nadu Transport Corporation Employees
Pension Fund, Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai-2.

Copy To:- The Register Judicial,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Sathiya Singh, Advocate SR.No.90937

+1cc to Mr.S.Govindan, Advocate SR.No.90615

myr

MV:SV-MMS:SAR1:15/12/2017/3P/7C

W.P. (MD) No.22056 of 2017

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